

Recording requested by  
U.S. Bankruptcy Court for the Northern  
District of California, San Jose Division

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UNITED STATES BANKRUPTCY COURT  
NORTHERN DISTRICT OF CALIFORNIA

In re

VINH NGUYEN,

Debtor.

Case No. 22-50907 MEH  
Chapter 7

**ORDER REQUIRING RECORDER'S  
OFFICE TO WITHDRAW DOCUMENTS  
AS AGREED BY SETTLEMENT**

[Cal. Gov. Code § 27201; FRBP 7070]

Before the court is Vinh Nguyen's ("Debtor") request to withdraw recorded documents regarding real property located at 12329 Kosich Place, Saratoga, California 95070, APN: 386-23-072 ("Property").

Paul Nguyen ("Creditor") entered into a global settlement agreement that required Creditor to withdraw documents recorded against the Property upon receipt of the settlement funds. The court approved the settlement agreement on February 9, 2023 (Dkt. # 166). Also on February 9, 2023, Creditor received the settlement funds, but failed to withdraw the

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**FILED**  
FEB - 1 2024  
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documents. Thus, as of February 9, 2023, Debtor has satisfied his duties under the terms of the settlement agreement, but Creditor has not.

Federal Rule of Civil Procedure 70(a) ("FRCP"), made applicable in bankruptcy by Federal Rule of Bankruptcy Procedure 7070, provides the court with authority to enforce a specific act at the noncompliant party's expense.

Upon Debtor's Motion to Enforce Settlement Agreement ("Motion") (Dkt. # 240) and other causes shown, it is ORDERED that the Motion is GRANTED.

For Santa Clara County Recorder's Office and under the authority of FRCP 70(a) and California Government Code § 27201(a), the court hereby withdraws from the Santa Clara County records the following recorded documents:

| No. | Label of Document  | Document Executed by   | Recording Date | Document No. |
|-----|--|------------------------|----------------|--------------|
| 1   | Notice of Default and Election to Sell Under Deed of Trust | Hermond L. Blossomgame | 02/25/21       | 24846754     |
| 2   | Substitution of Trustee                                    | Paul K. Nguyen         | 04/14/21       | 24921401     |
| 3   | Notice of Trustee's Sale                                   | Hermond L. Blossomgame | 05/12/21       | 24957491     |
| 4   | Notice of Trustee's Sale                                   | Hermond L. Blossomgame | 05/14/21       | 24960843     |
| 5   | Notice of Intent to Preserve Interest                      | Paul K. Nguyen         | 05/25/22       | 2530874      |
| 6   | Substitution of Trustee                                    | Paul K. Nguyen         | 06/27/22       | 25326642     |
| 7   | Notice of Trustee's Sale                                   | Yosef Szigeti          | 07/05/22       | 25330309     |

Date: February 1, 2024

M. Elaine Hammond

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United States Bankruptcy Judge  
Northern District of California

\*\*\*\*\*END OF ORDER\*\*\*\*\*

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